

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, January 11, 2010
5:45 P.M.

Invocation by First Reader, Tracy Sullivan, Christian Science Church.

Pledge of Allegiance.

Mayor's Welcome.

Awards, Recognitions and Announcements.

CITIZEN PARTICIPATION

All citizens are permitted and encouraged to speak on agenda items. If you are interested in speaking on an agenda item, please fill out a blue card in the back of the room and give it to the City Clerk. When the Council considers the item, you will be called to the podium to provide your comments.

CONSENT AGENDA

All items listed with an asterisk (*) will be considered as a group by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember or citizen requests, in which event the item will be removed from the Consent Agenda and considered as a separate item. If a citizen wants an item removed from the consent agenda, a blue card must be completed and given to the City Clerk prior to the Council's vote on the consent agenda.

(Members of the Mesa City Council will attend either in person or by telephone conference call).

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1. Take action on all consent agenda items.
- *2. Approval of minutes of previous meetings as written.
3. Take action on the following liquor license applications:
 - *3a. Mesa Arts Center Foundation

This is a one day charitable event to be held on Saturday, January 30, 2010 from 6:00 p.m. to 11:59 p.m. at 1 East Main St. **(District 4)**
 - 3b. Circle K Store 1574

Person to Person Location to Location Transfer of a Liquor Store License for Circle K Store 1574, 2012 W. Southern Avenue, Circle K Stores Inc – Kim Kenneth Kwiatkowski, Agent. This location presently has a Beer & Wine Store License under Circle K Stores Inc. that will revert back to the State. **(District 3)**
 - *3c. CVS Pharmacy 3436

Person to Person Transfer of a Liquor Store License for CVS Pharmacy 3436, 2809 S. Sossaman Road, German Dobson CVS LLC – Jason Barclay Morris, Agent. This location presently has a Liquor Store License under CVS 3436 Mesa LLC that will revert back to the State. **(District 6)**
 - *3d. Walgreens 03670

New Beer & Wine Store License for Walgreens 03670, 1159 E. Southern Avenue, Walgreen Arizona Drug Co. – Randy Allen Guse, Agent. This is an existing building with no previous liquor license at this location. **(District 4)**
 - *3e. Walgreens 07558

New Beer & Wine Store License for Walgreens 07558, 9233 E. Guadalupe Road, Walgreen Arizona Drug Co. – Randy Allen Guse, Agent. This is an existing building with no previous liquor license at this location. **(District 6)**

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*3f. Cajun Seafood Corner

New Restaurant License for Cajun Seafood Corner, 2051 S. Dobson Road, Suite 18, L&M Enterprise LLC – Melford Denton Horneman Jr., Agent. The previous Restaurant License held at this location by HP Family LLC will revert back to the State. **(District 3)**

*3g. Pachuca Mexican Grill

New Restaurant License for Pachuca Mexican Grill, 4545 E. McKellips Road, Pachuca Mexican Grill LLC – Ali Akbar Bipar, Agent. The previous Restaurant License held at this location by Papas NY Pizza Inc will revert back to the State. **(District 5)**

*3h. Silkes American Grill

New Restaurant License for Silkes American Grill, 2036 N. Gilbert Road, Tuckers LLC – Jason Matthew Yonkin, Agent. The previous Restaurant License held at this location by BLSK Management LLC will revert back to the State. **(District 1)**

*3i. Vito's Pizza and Ristorante

New Restaurant License for Vito's Pizza and Ristorante, 1947 N. Lindsay Road, Vito's Pizza and Ristorante LLC – Ryan Alexander Vickery, Agent. The previous Restaurant License held at this location by Vito's Pizza Place Inc. will revert back to the State. **(District 1)**

4. Take action on the following bingo application:

*4a. BINGO – CLASS B

Good Life Resort **(District 2)**
Dan Martin
3403 East Main Street
Mesa, AZ 85213

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5. Take action on the following contracts:

- *5a. Purchase of Replacement Air Diaphragm Pumps and Vertical Centrifugal Pumps with Appurtenances for the Water Resources Department **(Citywide)**

The Purchasing Division recommends awarding the contract to the lowest, responsive and responsible bidder, Phoenix Pumps, Inc. at \$131,151.35, including applicable sales tax.

- *5b. Purchase of an Audio/Video System for the Police Department Tactical Support Center (Fully Funded by Asset Forfeiture [RICO] Funds) **(Citywide)**

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with ExhibitOne at \$114,844.17.

- *5c. Purchase of Six (6) Replacement Vehicles for Various City Departments (FY09/10 Vehicle Replacement Program) **(Citywide)**

The Purchasing Division recommends authorizing purchase from State of Arizona contracts with multiple vendors at \$199,570.63, including applicable sales tax.

- *5d. Purchase of One (1) Class 8 Conventional Tractor (Semi-Cab & Chassis) for the Mesa Fire Department (Fully Funded by Federal Homeland Security Program, Urban Area Security Initiative Grant) **(Citywide)**

The Business Services Department recommends purchase from the contract with McCandless of Arizona at \$116,959.66, including applicable sales tax.

- *5e. Term Contract for Apparatus Intercom Equipment for the Fire Department **(Citywide)**

The Purchasing Division recommends awarding the contract to the lowest, responsive and responsible bidder, Creative Communications Sales and Rentals, Inc. at \$47,744.67, including applicable sales tax.

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*5f. Purchase of Four (4) Replacement Rapid Mixer Drives with Motors for the Water Resources Department **(Sole Source) (Citywide)**

The Purchasing Division recommends authorizing purchase from the sole source bidder, Philadelphia Mixing Solutions Ltd. at \$66,887.04, including applicable use tax.

*5g. Term Contract for Dust and Erosion Control Services and Acrylic Copolymer for the Development and Sustainability Department (Fully Funded through Mesa's Federal Environmental Compliance Fee Revenue) **(Citywide)**

The Purchasing Division recommends awarding the contract to International Soil Technologies, LLC d.b.a. SoilWorks at \$100,000.00 annually, including applicable sales tax, and based on estimated requirements.

*5h. Renewal of the Term Contract for Asphalt Materials for the Transportation Department (Fully Funded by Transportation Sales Tax) **(Citywide)**

The Purchasing Division recommends renewal of the contract with Vulcan Materials Company at \$700,000.00 annually, and Mesa Materials to \$150,000.00 annually, for the combined total contract amount of \$850,000.00.

*5i. Term Contract for Traffic Signal Uninterruptible Power Supply Units for the Transportation Department **(Citywide)**

The Purchasing Division recommends awarding the contract to the lowest, responsible and responsive bidder, Phoenix Highway Products, Inc. at \$106,972.75 annually, based on estimated requirements.

*5j. Purchase of a Replacement Voice Logging Recorder for the Police Department (Fully Funded by American Recovery and Reinvestment [ARRA], Justice Assistance Grant) **(Citywide)**

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Goserco, Inc. at \$295,100.00, including applicable sales tax.

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*5k. Purchase of a Leak Detection System for the Water Resources Department **(Sole Source) (Citywide)**

The Purchasing Division recommends awarding the contract to the sole source bidder, Fluid Conservation Systems, Inc. at \$148,473.60, including applicable use tax.

*5l. Desert Well No. 21 Equipping Phase **(District 6)**

City Project No. 05-065-002. This well was recently drilled as a separate project and this project will install the necessary pump, piping, electrical equipment and chlorination equipment for well to operate.

Recommend award to the low bidder, Weber Group, in the amount of \$651,472.00, plus an additional \$65,147.20 (10% allowance for change orders) for a total award of \$716,619.20. (Funding is available in the Water Bond Program)

*5m. Waste Water Line Video Inspection **(Citywide)**

City Project No. 09-931-001. This project is an annual contract to perform waste water pipeline video inspection on City capital improvement projects and development projects for the upcoming fiscal year. The City will then be able to effectively inspect waste water lines being accepted into the City system for maintenance.

Recommend award to the low bidder, Sahuaro Pipeline Corp., dba Valley Hydrovac, in the amount of \$67,250, plus an additional \$6,725 (10% allowance for change orders) for a total award of \$73,975. These services will be charged to the individual Waste Water Capital Projects for which the waste water line video inspection is performed.

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*5n. Arizona Museum for Youth Expansion (**District 4**)

City Project No. 06-053-001. This is to request Council's approval of an increase to the contract amount to pay for unforeseen conditions discovered during construction of the Arizona Museum for Youth Expansion project.

The increase in the contract amount is \$33,220; the total contract amount will become \$156,739. Funding is available in the approved FY 09/10 Arts and Cultural Capital Program, using Cultural Impact Fees restricted for the expansion of facilities.

6. Introduction of the following ordinance and setting January 25, 2010, as the date of the public hearing on this ordinance:

*6a. Amendment to the Mesa City Code regarding Title 11 as it applies to the Planning and Zoning Board, Downtown Development Committee, and Design Review Board.

P&Z Recommendation: Approval as written. (Vote: 5 – 0, Boardmembers Roberts and Hudson absent)

7. Take action on the following resolutions:

*7a. Approving and authorizing the City Manager to execute a Grant Agreement with the State of Arizona, Office of the Attorney General to secure grant funds in the amount of \$63,400 for two Victim Notification Clerks in the Police Department.

*7b. Approving and authorizing the City Manager to execute an Agreement with the Governor's Office of Highway Safety to secure grant funds in the amount of \$37,680 for traffic enforcement programs.

*7c. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the City of Mesa and the Flood Control District of Maricopa County for the construction, operation and maintenance of the Broadway Road and 72nd Street Drainage Improvements project. The total estimated project construction cost is \$335,000. Mesa's estimated share is \$85,000. (Funding is available in the Street Bond Program) (**District 6**)

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- *7d. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the City of Mesa and the Flood Control District of Maricopa County for the construction, operation, and maintenance of a new storm drain system on Broadway Road west of Mesa Drive. The total estimated project construction cost is \$335,000. Mesa's estimated share is \$85,000. (Funding is available in the Street Bond Program) **(District 4)**
8. Discuss, receive public comment, and take action on the ordinances introduced at a prior Council meeting. Any citizen that wants to provide comment should submit a blue card to the Clerk before the item is voted on. If a citizen wants to comment on an item listed with an asterisk (*), a blue card must be given to the Clerk before Council votes on the consent agenda.
- *8a. Amending various sections of the Mesa City Code regarding the following traffic modifications:
- Prohibiting Turns From Driveways: 10-3-15(B)
- On the west side of Gilbert Road from the driveway with centerline approximately 65 feet south of the centerline of Covina Street (west of Gilbert Road north of University Drive). **(District 2)**
9. Take action on the following subdivision plat:
- *9a. "Longbow Business Park Lot 6 Replat" **(District 5)** – 5722 East McDowell Road. Located west of Recker Road and north of McDowell Road. 5 M-1 DMP industrial lots (21.8± ac.) Robert McNichols, Dover Associates LLC, owner; Gary E. Stocker, P.E., R.L.S., Site Consultants, Inc., engineer.
10. Take action on the following recommendation from the Audit and Finance Committee:
- *10a. Accept the City's Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ended June 30, 2009.
11. Items from citizens present. (Maximum of three speakers for three minutes per speaker).